

**REMARKS**

At the time of the Office Action dated February 16, 2005, claims 1-29 were pending. Of those claims, claims 22-29 have been withdrawn from consideration pursuant to the provisions of 37 C.F.R. §1.142(b). Applicants acknowledge, with appreciation, the Examiner's indication that claims 7 and 17 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In this Amendment, claims 1-4, 6, 8, 9, 11-14, 16, 18 and 21 have been amended, claim 5, 7, 10, 16, 17, 20 and 22-29 canceled, and new claims 30-41 added. Care has been exercised to avoid the introduction of new matter. Adequate descriptive support for the present Amendment should be apparent throughout the originally filed disclosure as, for example, the depicted embodiments and related discussion thereof in the written description of the specification. The specification has also been amended.

**Information Disclosure Statement.**

In paragraph 2 of the Office Action, it is pointed out that the Information Disclosure Statement filed August 31, 2001, fails to comply with 37 C.F.R. §1.98(a)(3) because it does not include a concise explanation of the Tahenryou reference. It should be noted that the Applicants intend to submit the concise explanation of the reference in due course.

**Specification and Claim Objections.**

In response to the Examiner's request, a Substitute Specification has been submitted together with this Amendment. The Substitute Specification includes amendments of the claims.

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Accordingly, withdrawal of the objections to the specification and claims is respectfully solicited.

**Claim 21 has been rejected under 35 U.S.C. §101.**

The Examiner stated that the claimed invention is directed to non-statutory subject matter. In response, Applicants has amended claim 21 in a manner suggested by the Examiner in paragraph 6 of the Office Action. Withdrawal of this rejection is, therefore, respectfully solicited.

**Claims 8 and 18 have been rejected under 35 U.S.C. §112, second paragraph.**

According to the Examiner, claims 8 and 18 include insufficient antecedent basis for “the specific ratio.” In response, claims 8 and 18 have been amended to delete “the specific ratio,” rendering this rejection moot. Applicants, therefore, respectfully solicit withdrawal of the rejection of claims 8 and 18.

**Claims 1-6, 9, 11-16, 19 and 21 have been rejected under 35 U.S.C. §102(b) as being anticipated by Fujimoto.**

In the statement of the rejection, the Examiner asserted that Fujimoto discloses a document image processing device for converting monochrome images to color images identically corresponding to what is claimed. It is noted that the rejection of claims 5 and 15 has been rendered moot by cancellation of those claims.

In response, Applicants emphasize that Fujimoto does not disclose the claimed invention in the meaning of 35 U.S.C. §102. Specifically, the reference does not disclose the following limitations, recited in independent claims 1, 11 and 21, as amended:

- (1) calculating first averages as an average of character size for characters in each region, and a second average that is an average of character size in all the regions,
- (2) comparing the first averages and extracting criteria found by multiplying the second average by extracting parameters, the extracting parameters on a plurality of levels calculated based on a value found by dividing a maximum of the first averages by the second average, and
- (3) extracting the regions with the first average more than the extracting criteria, as the title region.

Accordingly, it is submitted that Fujimoto does not disclose all the limitations recited in independent claims 1, 11 and 21. Applicants, therefore, solicit withdrawal of the rejection of claims 1, 11 and 21, and favorable consideration thereof. It is also note that dependent claims 2-4, 6, 9, 12-14, 16 and 19 are patentably distinguishable at least because they respectively include all the limitations of independent claims 1 and 11.

**Claims 8 and 18 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Fujimoto in view of Clarke et al.**

In response, Applicants submit that Fujimoto and Clarke et al., either individually or in combination, do not teach or suggest the claimed invention. Claims 8 and 18 should be patentable at least because they include all the limitations recited in independent claims 1 and 11. Those limitations in claims 1 and 11 are not taught or suggested by Fujimoto and Clarke et al.

Moreover, in the statement of the rejection, the Examiner asserted that Clarke et al. teaches the calculating an average value according to the trimmed mean method by citing column 11, lines 39-44. Generally, the trimmed mean is used to remove a noise component, such as a stein or a blotch, which is not considered as a character.

A text body includes some marks like comma, period, colon, semicolon, and so forth. Those are not noises, but smaller than common characters used in the text body. These comma, period, colon and semicolon have certain meanings. Even if the comma and period are indispensable for a text, they are not necessarily required for a title. The reason for using the trimmed mean in the claimed invention is to remove commas, periods, and so on, so as not to include them in titles, in addition to the removing of noises.

Accordingly, according to claims 8 and 18, it is possible to calculate accurate averages regarding characters to be include in titles.

Based on the foregoing, Applicants submit that Fujimoto and Clarke et al. do not teach or suggest the claimed invention. Applicants, therefore, respectfully solicit withdrawal of the rejection of claims 8 and 18, and favorable consideration thereof.

**Claims 10 and 20 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Fujimoto.**

In response, Applicants submit that Fujimoto does not teach or suggest the claimed invention. Claims 10 and 20 should be patentable at least because they include all the limitations recited in independent claims 1 and 11. The limitations in claims 1 and 11 are not taught or suggested by Fujimoto, as discussed above. Applicants, therefore, respectfully solicit withdrawal of the rejection of claims 10 and 20, and favorable consideration thereof.

**Conclusion.**

It should, therefore, be apparent that the imposed rejections have been overcome and that all pending claims are in condition for immediate allowance. Favorable consideration is, therefore, respectfully solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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Recognition under 37 C.F.R. 10.9(b)

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